

State Water Resources Control Board

May 10, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7017 2680 0000 6195 8848

Mr. Matt Leigh
Fleet Fuel Systems Manager
Los Angeles Department of Water and Power
111 North Hope Street
Los Angeles, California 90012
matt.leigh@ladwp.com

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS AT
THE LOS ANGELES DEPARTMENT OF WATER AND POWER
INDEPENDENCE YARD, 201 SOUTH WEBSTER STREET, INDEPENDENCE**

Dear Mr. Leigh:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 26, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Monitor Product Piping – The sensor in under dispenser containment (UDC) 5-6 was incorrectly positioned at an angle preventing a leak from being detected at the earliest opportunity. This was corrected at the time of inspection.	Diesel and Regular Unleaded	April 26, 2018	April 26, 2018	23 CCR 2630(d), 2641(a)
2	Failure to Monitor Product Piping – The sensor in the turbine sump was incorrectly positioned at an angle preventing a leak from being detected at the earliest opportunity. This was corrected at the time of inspection.	Regular Unleaded	April 26, 2018	April 26, 2018	23 CCR 2630(d), 2641(a)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Monitor Product Piping – The sensor in the piping sump was incorrectly positioned at an angle preventing a leak from being detected at the earliest opportunity.	Motor Oil	April 26, 2018	Ongoing	23 CCR 2630 (d), 2641(a)
4	Failure to Tag Monitoring Equipment – The mechanical line leak detector (MLLD) in the regular flow turbine sump was missing the annual monitoring certification tag for the most recent monitoring system certification performed on September 19, 2017.	Regular Unleaded	April 26, 2018	Ongoing	23 CCR 2638(f), 2641(j)
5	Failure to Tag Monitoring Equipment – The monitoring panel for all tank systems was missing the annual monitoring certification tag for the most recent monitoring system certification performed on September 19, 2017.	All	April 26, 2018	Ongoing	23 CCR 2638(f), 2641(j)
6	Failure to Maintain Tank Information – In CERS, the interstitial sensor for all tanks lists a Veeder-Root model 342; However, this model number is not manufactured by Veeder-Root.	All	April 26, 2018	Ongoing	23 CCR 2711(a)
7	Failure to Maintain Tank Information – The automatic transmission fluid (ATF) tank system is not listed in CERS and the 90w gear oil tank system is listed twice.	90w and ATF	April 26, 2018	Ongoing	23 CCR 2711(a)
8	Failure to Maintain Tank Information – The date of installation for all tanks are not available in CERS.	All	April 26, 2018	Ongoing	23 CCR 2711(a)
9	Failure to Maintain Operating Permit – The permit observed onsite at the time of inspection has an expiration date of February 28, 2018.	All	March 1, 2018	Ongoing	H&SC 25284(a)

No.	Violation	Tank	Start Date	Stop Date	Regulation
10	Failure to Maintain Owner/Operator Agreement – In CERS, the tank operator is listed as Irv Moore and the tank owner is listed as Los Angeles Department of Water and Power. If the permit is issued to a person other than the tank operator, an owner operator agreement is required.	All	April 26, 2018	Ongoing	H&SC 25284(a)(3); CCR 2620(b)
11	Failure to Maintain or Update Financial Responsibility – In CERS, the financial responsibility documents indicate that a local government bond rating test mechanism is used to demonstrate financial responsibility. The Certification of Financial Responsibility document in CERS must be updated to list this method.	All	April 26, 2018	Ongoing	H&SC 25292.2; CCR 2711(a)(11)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Inyo County Department of Environmental Health Services within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance. Please have the minor amounts of liquid in the diesel and regular unleaded tanks systems turbine and fill sumps removed, along with leaf litter present in all tank system sumps.

Please send all compliance documentation to the following:

State Water Board

Mr. Will Speth
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
will.speth@waterboards.ca.gov

Local CUPA

Ms. Kathe Barton, REHS
Director
Inyo County Environmental
Health Services
P.O. Box 427
Independence, California 93526
kbarton@inyocounty.us

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

May 10, 2018

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Mr. Raul Fletes
Equipment Repair Supervisor
Los Angeles Department of Water and Power
raul.fletes@ladwp.com

Mr. Gareth Howell
Environmental Specialist
Los Angeles Department of Water and Power
gareth.howell@ladwp.com

Ms. Kathe Barton, REHS
Director
Inyo County Environmental Health Services
kbarton@inyocounty.us